

## REMARKS

Favorable consideration of this application is respectfully requested.

Claims 35 – 38 are currently active in this case. Claims 25 – 29, 31 and 32 were previously cancelled and Claims 1 – 24, 30, 33 and 34 have been cancelled by way of the present amendment. Each of the claims presented herein are supported by the specification and claims as originally submitted and no new matter has been added.

In the outstanding Office Action, Claims 35 and 38 were rejected under 35 U.S.C. 102(b) as being anticipated by *Tsuboi et al.* (US Pat. 5,119,182, hereinafter *Tsuboi*), and Claims 36 and 37 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Tsuboi* as applied to Claim 35 and further in view of *Yang et al.* (US Pat. 5,606,395, hereinafter *Yang*).

Applicants respectfully traverse the rejection of Claim 35 as being anticipated by *Tsuboi*. Claim 35 recites:

**35. (Previously Presented) A printer, comprising:**  
***an image processor configured to apply a series of image processing settings to a first image to produce a series of second images that include images with a progressively higher image processing setting than the first image and images with a progressively lower image processing setting than the first image;***  
***a print section configured to,***  
***print the first image on a printing medium,***  
***print each second image having progressively higher image processing settings in a first direction relative to the printed first image, and***  
***print each second image having progressively lower image processing settings in a second direction relative to the printed first image; and***  
***an input section configured to retrieve a user selection of one of the second images;***  
***wherein:***

*the image processor is further configured to apply a next series of image processing settings to the selected second image to produce a third set of images; and*

*the print section is further configured to print the selected second image and the third set of images.*

However, the cited reference fails to teach or suggest similar subject matter.

Applicants respectfully traverse the assertion in the outstanding Office Action which states *Tsuboi* produce a series of second images and print each second image having “*progressively higher image processing settings in a first direction relative to the first printed image*” and print each second image having “*progressively lower image processing settings in a second direction relative to the second printed image.*” As a preliminary matter, Applicants respectfully note the citation to Fig. 6 which is presented as teaching the “*the progressively higher*” and “*progressively lower*” image processing settings in printed images in first and second directions. However Fig 6 is a mosaic rather than directional output of printed images (*Tsuboi*, col. 6, lines 32-33, Fig. 6). In particular, *Tsuboi*’s mosaic output is not supportive of progressively different image processing settings in either first or second directions.

More importantly, *Tsuboi*’s mosaic printed images do not teach “*image processing settings*” that are either “*progressively higher*” or “*progressively lower*” in any direction. The outstanding Office Action cites “*C2M2Y2 is in the lower direction of C1M1Y1,*” and “*C0M0Y0 are at a higher direction of C1M1Y1.*” Applicants admit that C2M2Y2 is in a “*lower direction*” of C1M1Y1 and that C0M0Y0 is in a “*higher direction*” of C1M1Y1, however, *Tsuboi*’s mosaic images in either the “*lower direction,*” or the “*higher direction*” do not contain the “*progressively higher*” or “*progressively lower*” image processing settings as required in Claim 35.

More particularly, with respect to C0M0Y0, which is in the “*higher direction*” from C1M1Y1 (but which contains lower image processing settings compared to C1M1Y1), the images printed in any direction between C1M1Y1 and C0M0Y0 contain images that have image processing settings that are either the same as those in C1M1Y1 or higher than those contained in either C1M1Y1 or C0M0Y0 (e.g., all images in row  $m_2$  have a higher M (Magenta) image processing setting than found in either C1M1Y1 or C0M0Y0). Therefore, *Tsuboi*’s mosaic

printout cannot be said to contain “*progressively lower image processing settings in a second direction relative to the second printed image.*”

Likewise, with respect to C2M2Y2, which is in the “*lower direction*” from C1M1Y1 (but which contains higher image processing settings compared to C1M1Y1), the images printed in any direction between C1M1Y1 and C2M2Y2 contain at least one image that has image processing settings that are the same as C1M1Y1 or lower than those contained in either C1M1Y1 or C2M2Y2 (e.g., all images in row  $m_0$  have a lower M (Magenta) image processing setting than found in either C1M1Y1 or C2M2Y2). Therefore, *Tsuboi*’s mosaic printout cannot be said to contain “*progressively higher image processing settings in a second direction relative to the second printed image.*”

Therefore, Applicants respectfully submit that Claim 35 cannot be anticipated or rendered obvious over *Tsuboi* because the cited reference fails to teach or suggest subject matter specifically claimed in Claim 35. Accordingly, Applicants respectfully submit that Claim 35 is patentable over *Tsuboi*.

Based on the patentability of Claim 35, Applicants further respectfully submit that dependent Claims 36 – 38 are also patentable. If the Examiner disagrees with any of the foregoing, Applicants respectfully request that the Examiner call the undersigned who will be happy to work with the Examiner in a joint effort to resolve any remaining issues.


Consequently, no further issues are believed to be outstanding, and it is respectfully submitted that this case is in condition for allowance. An early and favorable action is respectfully requested.

Respectfully submitted,

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